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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 21-MJ-36-F

PHILLIP DOBBINS,

Defendant.

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**MOTION TO WITHDRAW AS COUNSEL OF RECORD AND FOR APPOINTMENT OF  
COUNSEL FROM THE CRIMINAL JUSTICE ACT PANEL**

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Defendant, Phillip Dobbins, through undersigned counsel, requests an Order withdrawing the Federal Public Defender and undersigned counsel from further representation of Mr. Dobbins and for the appointment of a member of the Criminal Justice Act Panel to represent Mr. Dobbins. Wyoming Rule of Professional Conduct 1.16 authorizes withdrawal for good cause. Undersigned counsel maintain that good cause exists for withdrawal in the present case.

Wyoming Rule of Professional Conduct 1.7 prevents the representation of a client if the representation involves a concurrent conflict of interest. Such a conflict exists if:

- (1) The representation of one client will be directly adverse to another client; or
- (2) There is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

*Id.*

Based on information discovered on July 15, 2021, related to the representation of Mr. Dobbins, undersigned counsel believes that continued representation of Mr. Dobbins would violate Rule of Professional Conduct 1.7 and the duty of loyalty. Undersigned counsel is precluded from further disclosing the reasons for moving to withdraw as the information discovered is covered by the attorney-client privilege. *See* Wyo. RPC 1.6.

Undersigned counsel will discuss and explain this motion to Mr. Dobbins as soon as a possible and will also mail him a copy. Because Mr. Dobbins previously has been declared indigent, undersigned counsel respectfully request that a member of the Criminal Justice Act Panel be appointed to represent Mr. Dobbins.

WHEREFORE, undersigned counsel respectfully requests that this Court issue an Order to withdraw the Federal Public Defender and undersigned counsel from further representation of Mr. Dobbins and to appoint a member of the Criminal Justice Act Panel to represent Mr. Dobbins.

**DATED** this 15th day of July 2021.

Respectfully submitted,

VIRGINIA L. GRADY  
Federal Public Defender

/s/ Tracy Racicot Hucke

Tracy Racicot Hucke  
Assistant Federal Public Defender

### **CERTIFICATE OF SERVICE**

I hereby certify that on July 15, 2021, the foregoing was electronically filed and consequently served on counsel of record.

/s/ Tracy Racicot Hucke

Tracy Racicot Hucke